

## Annual Survey of Massachusetts Law

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### Preface

William J. Curran

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## P R E F A C E

It is said that the great problem of a legal system is the maintenance of a balance between healthy growth and necessary stability. This publication is dedicated to an examination of the broadening pattern of that growth and stability in the law of Massachusetts.

To produce the ANNUAL SURVEY OF MASSACHUSETTS LAW, the Boston College Law School has brought together an outstanding group of authorities in the various fields of the law. It has drawn its contributing authors from among the state's leading practicing lawyers, government administrators, and law teachers, gathered around a nucleus of its own faculty members. The findings of these experts as to the significant developments and trends in the law during the survey year are presented in the twenty-seven chapters which make up the 1954 ANNUAL SURVEY.

To aid the authors in research and in the preparation of their chapters and to edit the material for publication, the Law School organized the Board of Student Editors under the direction of a faculty Editor in Chief.

An examination of the editors' page of our publication will quickly reveal that it is a venture in which many hands, heads, and hearts have joined in a cooperative effort. Any attempt to extend thanks to all who have contributed suffers from the possibility that deserving people will go unmentioned. But the attempt should be made. First, we wish to mention our Dean, the Reverend William J. Kenealy, S.J., whose interest and support have been an inspiration for the editorial staff, and Professors Cornelius J. Moynihan, John D. O'Reilly, Jr., and Alexander Nekam of the Law School faculty, whose efforts made the establishment of the ANNUAL SURVEY possible.

Of course, our greatest thanks are reserved for our twenty-eight authors, who not only prepared the material which makes up the SURVEY, but who also contributed so much to the training and education of our student staff.

Special tribute is due the members of our Advisory Committee of the Practicing Bar, who graciously have agreed to suggest ways in which our publication can be made most useful to practicing attorneys throughout the state.

We are indebted to the editorial staff of our publishers, Little, Brown and Company, for their invaluable aid and counsel in bringing this volume into print, and to the West Publishing Company for providing our student staff with complimentary copies of the Northeastern Reporter Advance Sheets.

The Board of Student Editors of the ANNUAL SURVEY performed an

infinite variety of tasks in preparing this volume. Research was carried on in a variety of subjects in the preparation of case notes and other materials. The staff read and classified all of the cases and legislation, the Attorney General's opinions, and administrative rules and regulations which came down during the survey year. On legislation particularly, their work was unique among law review staffs. They built their own legislative history for all laws enacted by the General Court in 1954. This meant the reading and classification of 3854 bills (the largest number in the General Court's history); the perusal of the daily legislative committee hearing lists, journals, and bulletins of committee work, and many other tasks. The staff processed bills ranging from a definition of the term "in time of war" in the civil service laws (House No. 2084) to bills to require psychiatric examinations of counselors or instructors in recreation camps (House No. 1542); and laws ranging from urban redevelopment and slum clearance (Acts of 1954, Chapter 73) to "An Act Establishing a Gypsy Moth Control Program" (Chapter 148).

We who have worked on this first volume may perhaps be forgiven for hoping that the 1954 SURVEY year would produce particularly important and far-reaching developments in the law of Massachusetts. We were not disappointed. Among many other legislative developments, the General Court adopted a comprehensive Administrative Procedure Act to govern all state agencies. A comprehensive revision of the state personnel laws was enacted; the public welfare laws were amended extensively; and a comprehensive statutory revision of the Rule Against Perpetuities was passed. In the courts, particularly significant decisions were handed down in many areas including constitutional law, trusts, criminal law, and property.

In conclusion, it should be noted again that this is our first issue. It will be our aim to make each successive issue more effective and useful to the legal profession in Massachusetts. To this end we earnestly solicit the comments and suggestions of our readers for ways in which we can improve our future publications.

WILLIAM J. CURRAN  
*Editor in Chief*

*Boston College Law School  
Brighton, Massachusetts*